

Message Text

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PAGE 01 CALCUT 01876 100608Z

15

ACTION NEA-16

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-03 H-03 USIE-00 PRS-01

SY-04 CIAE-00 INR-11 NSAE-00 RSC-01 INRE-00 SSO-00

DRC-01 /045 W

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O 100445Z SEP 74

FM AMCONSUL CALCUTTA

TO SECSTATE WASHDC IMMEDIATE 4136

INFO AMEMBASSY NEW DELHI IMMEDIATE

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E.O. 11652: N/A

TAGS: CASC, PFOR, IN

SUBJ: HARCOS/FLETCHER

REF: STATE 197524

1. STORY BY REUTERS INACCURATE ON NUMBER OF ACCOUNTS:

2. HIGH COURT DID NOT RPT NOT OVERTURN LOWER COURT RULING
REGARDING INSPECTION OF DOCUMENTS. DECISION ON THIS MATTER
HAS BEEN POSTPONED UNTIL SEPT. 13 AT 1030. HEARING IS
SCHEDEDULED TO BE OPEN AND IF SO, O'NEILL WILL ATTEND.
(FYI ONLY: DEFENSE LAWYER BHOSE ADVISED CONSUL O'NEILL
SHORTLY AFTER RETURNING FROM THE HEARINGS ON SEPT. 9 THAT
HE FELT CONFIDENT THAT THE PROSECUTION WOULD LOSE THE APPEAL
BARRING DEFENSE FROM INSPECTION OF DOCUMENTS BECAUSE OF THE
NUMBER OF SHARP QUESTIONS PUT TO THE PROSECUTION BY THE
JUDGE. END GYI.)

2. CONSUL O'NEILL'S PETITION WAS HELD IN ABEYANCE PENDING
RELEASE OF HARCOS/FLETCHER FROM PRESIDENCY JAIL (SEE CALCUTTA
1874). THIS MATTER HAS SINCE BEEN RESCHEDULED IN CONJUNCTION
WITH BAIL QUESTION FOR HEARING ON SEPT. 17 AT 1400 HOURS.

O'NEILL WILL ATTEND SESSION.

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PAGE 02 CALCUT 01876 100608Z

3. HARCOS AND FLETCHER ARE DEFINITELY PHYSICALLY WEAKER THAN TWO WEEKS AGO--HOW MUCH IS DIFFICULT TO DETERMINE BUT IT SHOULD BE REMEMBERED THAT THEY HAVE BEEN ON HUNGER STRIKE FOR A CONSIDERABLE TIME. THEIR WEIGHT AS OF SEPT. 6 WAS HARCOS 124 LBS. AND FLETCHER 119 LBS. BECAUSE BOTH WERE AT COURT O'NEILL WAS UNABLE TO SEE THEM ON MONDAY (ONE OF THREE REGULAR VISITING DAYS) AT THE JAIL. WE WILL REPORT MORE FULLY ON PHYSICAL CONDITION AFTER O'NEILL'S VISIT ON WEDNESDAY, SEPT. 11.

4. HOUSE ARREST AS NOW ENVISAGED BY PUBLIC PROSECUTOR WOULD RESTRICT HARCOS AND FLETCHER TO LIMITED AREA UNDER CONSTANT POLICE SUPERVISION. THIS AREA IS TO INCLUDE BEDROOM, BATHROOM AND POSSIBLE COOKING FACILITIES. NO CONTACT WITH OUTSIDERS WOULD BE ALLOWED WITH THE EXCEPTION OF PHYSICIAN AND LAWYERS WITH PERMISSION OF PUBLIC PROSECUTOR. NO MENTION WAS MADE OF CONSULAR ACCESS WHICH WAS REASON FOR O'NEILL'S PETITION.

5. AS OF 1000 HOURS SEPT. 10, AMERICAN EXPRESS CALCUTTA STILL HAS NOT RECEIVED MONEY FROM MISS DONOVAN EITHER IN THE NAME OF O'NEILL OR FLETCHER (SEE CALCUTTA 1851). RECEIPT OF ADDITIONAL FUNDS IN SUBSTANTIAL AMOUNT (FOR BAIL, QUARTERS RENT, FOOD AS WELL AS RECURRING FEES FOR LAWYERS) IS ESSENTIAL NOW.
PICKERING

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